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S T A T E M E N T

BY

AMBASSADOR VERNON A. WALTERS,

PERMANENT REPRESENTATIVE OF THE UNITED STATES

TO THE UNITED NATIONS,

ON ITEM 12,

QUESTION OF

THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

IN ANY PART OF THE WORLD,

MARCH 6, 1989

Mr. Chairman,

The United States fully agrees with the recent statement by the Foreign Minister of Spain, Mr. Francisco Fernandez Ordonez, that "human rights are universal," and that "the unacceptable limitations or qualifications that some governments choose to impose upon them, in defiance of international law, can have no moral, philosophical, ideological, or cultural basis."

Human rights and fundamental freedoms limit the power and authority of the state, in relation to the individual. When a state transgresses those limits, it is the right and duty of the world community to call attention to such abuses. And that, Mr. Chairman, is the purpose of my statement today.

The United States is firmly convinced that the system of apartheid in South Africa is an unacceptable infringement on basic human rights and fundamental freedoms. But this topic has been discussed at length in a previous statement delivered by another member of my delegation, and at this stage of the Commission's deliberations I believe it would be a disservice for me to repeat or summarize it.

In Albania, the Ramiz Alia regime has toned down some of the most repressive aspects of totalitarian rule, but Albania still remains one of the world's most closed and most restrictive societies. The Sigurimi, Albania's pervasive security service, maintains rigid control over the people by means of an extensive network of informers. Albanian courts serve the regime's purposes rather than the cause of justice: once accused of any political crime, a defendant has virtually no chance of acquittal. Conviction on such vaguely-defined charges can lead to lengthy imprisonment and even execution. According to reports, prisoners of all types are often confined in unheated, unfurnished cells which lack any sanitary facilities whatsoever.

Governments are free to pursue their own domestic policies, provided that they conform to the international community's well-established standards related to human rights and fundamental freedoms. Despite the Albanian regime's consistent refusal to provide information or access to concerned non-Albanian observers, including denials of the Commission's requests for information pursuant to resolution 1503 of the Economic and Social Council, it is clear that the Albanian Government violates the human rights of its citizens consistently and pervasively. My government believes that this pattern of gross disregard for human rights has amply earned Albania the world community's explicit condemnation.

In January 1989, Romania declared in Vienna that it would not be bound by certain provisions of the concluding document of the recent review session associated with the Conference on Security and Cooperation in Europe. This statement placed Romania well outside the established European consensus on human rights. It should thus be no surprise that despite constitutional guarantees, there are no basic freedoms in Romania. Freedom of speech does not exist, and guarantees of freedom of assembly are ignored -- except for Party-sponsored gatherings. The practice of religion is severely controlled, and the ability of ethnic minorities to act on and express their own cultural values is being steadily eroded. Party bosses largely ignore the wishes of the people, who are tightly regimented and effectively debarred from participation in government.

Romania's self-defeating social and economic policies have evoked and invigorated ominous specters of hunger and want. The government's draconian restrictions on imports have sharply reduced living standards, and are closely associated with widespread shortages of food, household energy, medicine, and other essentials. The recently expanded program of redevelopment has already dislocated large numbers of city dwellers, all for the sake of grandiose urban renewal. If fully carried out in coming years, these insensitive bureaucratic edicts will lead to the demolition of thousands of traditional villages, many of which have served for centuries as favored habitats for ethnic minorities. Thus would numerous unique cultures be sacrificed on the altar of agricultural efficiency and improved rural services.

Czechoslovakia has consistently failed to respect its international obligations related to human rights. The government continues to imprison and persecute citizens for peaceful dissent; it imposes severe limitations on the freedom of religion and on nearly all forms of cultural and political expression. In January, only hours after a representative of Czechoslovakia signified his country's consent to the concluding document of the recent review session associated with the Conference on Security and Cooperation in Europe, Czechoslovak police used truncheons, water cannons, and tear gas in downtown Prague, disrupting a peaceful gathering which commemorated the 20th anniversary of the self-immolation of the student Jan Palach. Vaclav Havel, the famous playwright, was among those arrested at that time, and Mr. Havel was later sentenced to nine months imprisonment.

Czechoslovak media, reporting on the conviction of Mr. Havel and his companions, have sought to blame internal unrest on external forces, condemning the well-justified international outcy as "outside intervention in the internal affairs of a sovereign state." This regressive rhetoric is incompatible with Czechoslovakia's obligations under the Universal Declaration of Human

Rights and other United Nations instruments, as well as with numerous undertakings associated with the Conference on Security and Cooperation in Europe. The United States Government strongly urges the Government of Czechoslovakia to abandon its confrontational practices and join in the general movement toward dialogue and reconciliation.

Bulgaria continues to be a tightly controlled society in which the state routinely harasses human rights advocates and suppresses any dissent or opposition. The Bulgarian government has denied that it is seeking to compel citizens of Turkish descent to adopt Slavic identities and traditions, but enforces multiple restrictions which can hardly have other aims. The Bulgarian government has closed mosques and prohibited certain Islamic practices, such as circumcision. In addition, public use of the Turkish language has been severely curtailed.

The German Democratic Republic deploys an exceptionally efficient and pervasive security apparatus which maintains tight control over that country's people. The regime continues to restrict fundamental freedoms of speech, press, religion, assembly, and movement, and it continues to detain, question, and harass citizens and groups who conduct public demonstrations associated with the free exercise of their political and religious rights.

Nevertheless, there has been some improvement in relation to human contacts. Foreign travel has increased substantially over the course of the past three years; in 1988, residents of the GDR made over seven million visits to Western countries. Further, legal emigration to the Federal Republic of Germany and West Berlin increased to over 30,000 last year, as compared with less than 13,000 in 1987.

In Poland, a number of independent social and political associations have been registered under the law. Even more importantly, the Polish Government has initiated a new dialogue with the opposition, including the Solidarity trade union. Poland holds great potential for further progress toward increased democracy and greater respect for human rights. We wish this conceivably historic process every possible success.

In Hungary, there has been very substantial progress. The Hungarian Government has recognized that there are human rights and fundamental freedoms which are common to all mankind, and has rejected the idea that socialist states must differ from free-enterprise nations in relation to these rights and freedoms. Hungarian officials are preparing a new constitution, taking account of the experience and practice of a wide range of other countries. A first draft is scheduled to be presented to parliament by May 31.

On January 11, the Hungarian parliament approved a new law on peaceful assembly, ensuring the right of citizens to gather in public places, as well as a new law on association which permits the establishment of multiple political parties, independent trade unions, and other organizations not affiliated with the state. A separate law will outline specific procedures associated with the registration and operation of political parties; the draft text is to be submitted to parliament no later than August 1.

A radically revised electoral law, now under preparation, will govern local council elections to be held this fall and national elections scheduled for 1990. This new electoral law will provide for a much simplified nominating process and for multiple candidates representing several parties.

Hungary's new statute on the freedom to form economic associations went into effect on January 1. This new law allows a private individual to employ as many as 500 persons. Further, it permits foreign-owned enteprises to operate in Hungary.

At present, Hungarian officials are preparing new laws on strikes, the freedom to leave the country and return, the freedom of religion, the freedom of expression and opinion, a civilian alternative to military service, judicial review of legislative acts, and the rights of nationalities and minorities.

Within the past few years, changes have occurred in the Union of Soviet Socialist Republics which would have been unthinkable before. We welcome this trend, and we hope that these advances will be broadened and made a permanent part of the structure of Soviet government and society.

An increasing number of Soviet citizens are no longer afraid to speak frankly and openly. Many manuscripts kept "in the drawer" for years are now being published and sold.

Sad to say, however, this tolerant atmosphere does not prevail throughout the USSR, in relation to public dissent. In December 1988, a significant number of Armenian activists were arrested, including all eleven members of the "Karabakh" Committee. These activists were later charged with "organizing or actively participating in group actions disrupting public order." In January 1989, the Georgian activist Ulambegashvili was sentenced to one and one-half years in a strict-regime camp, as a punishment for similar political activities.

In January 1988, the USSR's Supreme Soviet promulgated regulations aimed at making it more difficult to confine individuals in psychiatric institutions against their will. We hope that these regulations will be scrupulously honored, and that the Soviet authorities will take steps to release all those currently confined to psychiatric hospitals for political reasons.

As best we understand, arrests and convictions for activities which are clearly religious came to an end in late 1986. Soviet authorities have drafted new regulations on religion, and their implementation would afford believers considerably more freedom for religious education of children, charitable work, and evangelization outside of church premises. Nevertheless, believers continue to have difficulty obtaining permission to open churhes, and the police still break up peaceful prayer meetings conducted outside of church premises. In addition, approximately four million members of the Ukrainian Catholic Church remain unable to practice their religion legally.

In the Baltic region, the right of the peoples of Estonia, Latvia, and Lithuania to rule themselves and determine their own destinies has not been honored for almost half a century. We hope that recent signs of administrative flexibility on the part of Soviet authorities will lead to true self-determination for the peoples of the Baltic states.

During recent sessions of international bodies which deal with human rights and fundamental freedoms, Soviet representatives have become considerably more outspoken in their advocacy of individual human rights, especially those of a civil and political character. Further, Soviet delegations seem to have adopted a substantially more nuanced and flexible approach overall. Improvements in bilateral relations have also contributed to enhancing opportunities for the delegations of the United States and the USSR to pursue common goals. These trends are very healthy and constructive, and we hope that the possibilities for cooperation along such lines will continue to expand and deepen.

The United States believes that the achievement of a just and lasting settlement in Cyprus would advance the cause of human rights in that country. We strongly support the Secretary-General's efforts toward such a settlement, and we call upon all parties to give him their full cooperation.

Mr. Chairman,

All of us who believe in the rule of law should be appalled that the rulers of Cuba have twisted the entire legal framework to their whims. In practice, civil and political rights have been entirely abolished.

Paranoia is a disease of dictatorships, and the Cuban example is no exception. But the United States has no hostile intentions toward Cuba. No government, and certainly not the Cuban covernment, can excuse massive violations of human rights on the pretext that it has a powerful enemy.

Cuba's violations of human rights are not abstract; they are systematic and persistent acts of tyranny inflicted every day on real people who have names and faces. For example: On February 11, human rights activists Leonardo Rubio Montalvo and Roberto Jesus Pagan Diaz were arrested in Havana. Their apartments were searched and various human rights materials were seized, including a typed invitation to discuss articles from the Soviet magazine Sputnik in Spanish translation. Without defense attorneys present, these two men were quickly tried for "illegal printing" and sentenced to eight months in jail. Their human rights organization later issued a press release with an exceedingly apt question that I would like to bring to the Commission's attention. That question is this: What would Mikhail Gorbachev think if he found out that in Fidel Castro's neo-stalinist Cuba, peaceful activists are arrested and imprisoned for conducting illegal meetings in which they discuss articles from the Soviet magazine Sputnik?

Because of the intense international attention focused on Cuba, certain cosmetic changes have occurred. We have noted the Cuban Government's much-vaunted willingness to cooperate with international bodies, or at least pretend to cooperate. The Cuban Government's treatment of those who speak out will be the true test of its intentions -- a test, I might add, which the Cuban Government has failed in the recent past.

We also take note of the fact that the Cuban Government has released a small number of political prisoners. That is ironic in itself, for before that time we were told that there are no political prisoners in Cuba. How many more political prisoners, others who supposedly do not exist, will the Cuban Government see fit to set free this year? Why not release them all and be done with it?

This Commission has a solemn duty to the victims of human rights abuses in Cuba. The process of international scrutiny of the Cuban Government's record, now underway, can only be ended when Cuba truly honors the human rights and fundamental

freedoms of all its citizens. The Commission's direct involvement must and shall continue; there is no alternative.

The Sandinista government in Nicaragua has turned its legal system, mass organizations, and armed forces into instruments of repression, and the human rights situation in Nicaragua is among the worst in Latin America. We call upon the government of Nicaragua to adopt democratic practices, as it promised in the Esquipulas Agreement. Only a democratic, pluralistic government in Managua can provide adequate security guarantees to Nicaragua's Central American neighbors.

The United States remains concerned about the situation of human rights in El Salvador. Insurgents have not ceased their attacks on the democratically elected government. The Special Rapporteur, Mr. Pastor Ridruejo, pointed out that there has been an increase in urban terrorism and in summary executions by guerilla groups. The insurgents should renounce violence and participate in the dynamic political process now underway. For its part, the Government of El Salvador should continue seeking to implement the Special Rapporteur's recommendations.

It is extremely important that the Commission's resolution on Chile be balanced and fair, taking account of the fact that the overall situation has greatly improved, while noting that there remain certain problems associated with insufficient protection for human rights. The Chilean plebiscite of October 1988 was a major step forward, establishing the basis for presidential elections. Since a democratically elected government will provide the best assurance of respect for human rights, the Commission should take careful note of the opening of the Chilean electoral process.

We would like to compliment the report of the Special Rapporteur, Mr. Fernando Volio, whose illness has prevented him from joining us here. It is significant that the Chilean Government has continued its active cooperation, and we look forward to continued improvements along the lines that Mr. Volio has recommended.

The United States puts a high priority on the human rights and welfare of the people of East Timor. We are following the situation there closely, and we welcome the recent decision of the Indonesian Govenrment to broaden access to the province. We support discussions between Indonesia and Portugal under the auspices of the Secretary-General, and we believe that these discussions are the best way for the two governments to resolve their differences over East Timor.

In August and September 1988, millions of Burmese joined in spontaneous, non-violent demonstrations all across Burma. In doing so, they called for an end to decades of arbitrary and

repressive government. The regime responded with large-scale, indiscriminate killings, and many students fled to border areas. In late 1988, there began to be numerous reports about mistreatment of returning students.

The Burmese military government has stated that it intends to hold a free and fair election, and then turn over power to an elected civilian government. However, the government has refused to set a date for an election, has restricted political activity, and has harrassed and arrested political dissidents.

The Burmese people remain determined to achieve democracy, and we hope that the military regime will recognize the deep chasm that separates it from the people. In 1960, a Burmese military government turned over power to civilians successors. Burma's current rulers should regard that as an example to follow.

Despite the cessation of hostilities in the Gulf, the situation of human rights in Iran has not improved. In recent months, political executions have numbered in the hundreds, at a minimum. The Iranian government continues its practice of arbitrary detention, its denial of the freedoms of speech, press, and association, and its use of torture in repressing political opposition. Although the situation of the Baha'is improved somewhat last year, the Baha'i minority continues to face a precarious future. Jews, Armenian Christians, and Zoroastrians also suffer from discrimination.

The most telling index of human rights in Iran is the leadership's call for the death of the author Salman Rushdie, which is a direct assault on the freedom of expression -- a fundamental human right. This amounts to inciting a terrorist act, and the offer of blood money makes that heinous affront all the more repugnant.

Ever since 1984, the government of Iran has refused to cooperate with the Special Rapporteur named to investigate human rights abuses in that country. It now bears the dubious distinction of being the sole government which has persisted in such a refusal. This is unacceptable, and we call upon the Government of Iran to adhere to the well-established standards for behavior as a responsible and civilized member of the international community.

The situation of human rights Iraq also requires attention. Despite the cease-fire in the Gulf war, political and individual rights continue to be sharply limited; the news media remain subject to censorship and under effective government control. Reliable reports make it clear that both physical and psychological torture are used by the Iraqi authorities, and especially by the security police.

In 1988, the Iraqi armed forces moved to crush a longstanding Kurdish rebellion. This campaign resulted in the deaths of approximately 8,000 persons, including civilians. Following Iraq's indiscriminate use of chemical weapons against civilians and guerrillas, in flagrant violation of the 1925 Geneva Protocol, sixty thousand Kurds fled across the border into Turkey. Forty thousand are still there.

Even though Soviet forces have been withdrawn from Aghanistan, there remains overwhelming evidence of ongoing, massive violations of human rights carried out by the Kabul authorities, including political killings, disappearances, torture, summary executions, arbitrary arrests, and imprisonment under unacceptable conditions. Mines designed to kill and maim, numbering in the millions, have been indiscriminately scattered throughout the country. In effect, these mines prevent over five million Afghan refugees from returning to their homes. It is imperative that international scrutiny continue to focus on human rights abuses in Afghanistan, so that the Kabul authorities will understand that the withdrawal of Soviet troops has not diminished the world community's level of involvement and concern.

Mr. Chairman,

It has been my great honor to have served for four years as my country's Permanent Representative to United Nations headquarters. I believe that this will be my last substantive statement before assuming other duties.

I am delighted that it has worked out this way, for I share my government's deep and abiding commitment to the world community's efforts to enhancing respect for human rights and fundamental freedoms everywhere. Apart from the continuing need to preserve the peace, there is no more important or more noble cause. As an old soldier, and now an old diplomat, I leave the UN stage firmly resolved, and firmly convinced, that all mankind shall one day be free -- perhaps sooner than we expect.

Thank you, Mr. Chairman.